



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

January 11, 2017

BY HAND

The Honorable Kenneth M. Karas
United States Courthouse
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

**Re: United States v. Rubin, et al.,
14-cr-741 (KMK)**

Dear Judge Karas:


The Government writes to inform the Court of the progress to date of its review of the material seized from the law offices of Lowenthal & Kofman. Filter teams have completed their review of the material for privilege and have provided privilege logs to defense counsel. Specifically, the privilege review of the hard copy documents was completed in October 2015 and a privilege log for those documents was provided to defense counsel on October 26, 2015. Regarding the seized electronic documents, the privilege review of those documents was completed in October 2016 and a privilege log was provided to counsel on October 25, 2016.¹

¹ As the Court is aware, the electronic contents of the law office totaled hundreds of thousands of electronic items, a number too voluminous to review. Consequently, the Government ran search terms on the contents of the electronic contents, which reduced the number of electronic items to below 20,000. (See Aug. 19, 2016, letter, at 2 (docket no. 267)). The filter team reviewed only those documents that hit on the search terms. In addition, the filter team did not review any electronic documents that had a TIA ("Title Issues Agency") email in the to, from, cc, or bcc lines.

To date, defense counsel has not responded to the Government's privilege logs. Thus, the Government has not yet reviewed any of the seized documents for relevance. We anticipate reviewing the documents for relevance, as soon as defense counsel responds to the privilege log and the documents are provided to the prosecution team.

Respectfully submitted,

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